

REMARKS

Claims 1-47 are pending in the application. In the Office Action mailed December 26, 2000, Claims 12-14 and 16-46 were rejected under 35 U.S.C. § 112, first and second paragraphs; Claims 12-14 and 16 were objected to due to informalities; Claims 4-11 were rejected under the judicially created doctrine of double patenting; Claims 1-3, 12-15, 17-21, 23-32, 34 and 42-47 were rejected under 35 U.S.C. § 102(e); and Claims 16, 22, 33 and 35-41 were rejected under 35 U.S.C. § 103(a). Applicant thanks the Examiner for the telephone interview conducted on May 25, 2001 in which these rejections and objections were discussed and agreement was reached regarding all objections and rejections. This amendment memorializes the agreements reached between the Examiner and the applicant. Accordingly and pursuant to 37 C.F.R. § 1.111, applicant requests allowance of this application.

I. Rejection of Claims 12-14 and 16-46 Under 35 U.S.C. § 112, First and Second Paragraphs

In the January 26, 2001 Office Action, Claims 12-14 and 16-46 were rejected under 35 U.S.C. § 112, first and second paragraphs, due to certain informalities in the claim language. Briefly, the Examiner objected to the terms "peer computer," "common communications link," "published information," "publishing computer," "subscribing computer," "subscriber module," "publisher module," "nth publishing computer," "first user module," "first host module," "second host module," "first module block," and "second host module block."

Accordingly, and as agreed to by the Examiner, applicant has amended Claims 12-14, 17 and 22 to delete the term "peer" from the claims so as to refer more broadly to a "first computer" and "second computer." However, applicant notes that a "peer-to-peer" relationship between computers is clearly described in the specification at page 23, lines 4-19. In addition, applicant has amended Claims 12, 15, 16 and 33 to replace the term "link" with the term --channel-- so as to recite a "common communications channel," which term is more commonly used in the

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specification. Applicant notes, however, that in practice the term common communications link and common communications channel are interchangeable. Applicant notes that Claims 12-17-22 and 23 were amended as described above in the interests of cooperation and thus were not made for reasons of patentability.

As for Claims 15 and 23-46 which referred to "published information," "publishing computer," "subscribing computer," etc., applicant pointed out to the Examiner and the Examiner agreed that sufficient support for these terms is found in the specification at page 52, line 24-page 53, line 24. Accordingly, no amendments to these claims with respect to these terms has been made.

Finally, with regard to Claim 16 and the rejection pertaining to the terms "first user module," "first host module," etc., applicant pointed out and the Examiner agreed that support for such terms can be found throughout the specification. For example, support can be found in the specification at page 13, line 1-page 21, line 1.

In light of the amendments made to Claims 12-17, 22 and 33 and in light of the support shown for the terms noted in the Office Action, applicant respectfully requests that the rejections to Claims 12-14 and 16-46 under 35 U.S.C. § 112, first and second paragraphs, be withdrawn.

II. Objection to Claims 12-14 and 16

In addition to the rejections noted above under Section 112, first and second paragraphs, Claims 12-14 were objected to because Claims 12 and 14 in particular referenced downloading at least one module block of updated information from the "*first* peer computer to the *second* peer computer." As the Examiner correctly noted, reference to the first peer computer and second peer computer were inadvertently reversed. Accordingly, applicant has amended Claims 12 and 14 to specifically cite that the module block(s) of updated information is downloaded from the



"second peer computer to the *first* peer computer." Accordingly, applicant respectfully requests that the objection to Claims 12-14 be withdrawn.

In addition, applicant has amended Claim 16 as suggested by the Examiner to replace the "," after the word "information" in subparagraph (c) by --;--. Accordingly, applicant respectfully requests that the objection to Claim 16 be withdrawn.

III. Non-Statutory Double Patenting Rejection of Claims 4-11

As noted above, Claims 4-11 were rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-2, 4-6, 9 and 11-12 of U.S. Patent No. 5,937,405. As suggested in the Office Action, applicant submits herewith a timely filed terminal disclaimer, as well as the appropriate fees, in compliance with 37 C.F.R. § 1.321(c) in order to overcome this rejection.

IV. Rejection of Claims 1-3, 12-15, 17-21, 23-32, 34 and 42-47 Under 35 U.S.C. § 102(e) and Claims 16, 22, 33 and 35-41 Under 35 U.S.C. § 103(a)

In the January 26, 2001 Office Action, Claims 1-3, 12-15, 17-21, 23-32, 34 and 42-47 were rejected under 35 U.S.C. § 102(e) and Claims 16, 22, 33 and 35-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,835,911 to Nakagawa et al. As pointed out to and agreed by the Examiner, Nakagawa et al. does not teach, describe, or suggest updating modules of information wherein the modules comprise a plurality of module blocks and only the module blocks containing more recent information are downloaded. Since this element is present in each of independent Claims 1, 12, 15 and 16 rejected by the Examiner, as well as repeated throughout numerous of the rejected dependent claims, e.g., Claims 2-3, 13-14, 22, 33, etc., dependent Claims 2-3, 13-14, and 17-46 are patentable for the same reasons as their respective independent claims. In addition, these dependent claims include a myriad of recitations not disclosed, taught, or suggested by the Nakagawa reference, particularly when

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these recitations are considered in combination with the recitations of the claims from which these claims depend.

V. Amendment to the Specification

As suggested by the Examiner, applicant has also amended the specification in page 1, before the Background of the Invention, to recite the appropriate cross-reference to related applications. However, applicant notes that such priority was already claimed in the transmittal letter for the above-identified application. Therefore, applicant respectfully requests that the Patent Office recognize the claim of priority in the present case and allow the specification to be amended accordingly.

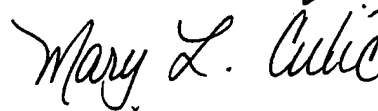
VI. Closing

In view of the foregoing, it is believed that the present application is now in condition for allowance. Reconsideration and reexamination of the application, as amended, are requested and allowance of Claims 1-47 at an early date is solicited.

If the Examiner has any questions or comments, the Examiner is invited to call applicant's attorney at the number below.

Respectfully submitted,

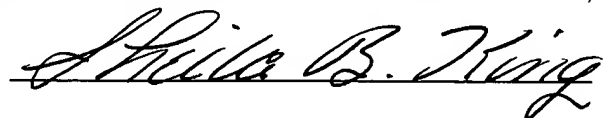
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to the Commissioner for Patents, Washington, D.C. 20231, on the below date.

Date: May 29, 2001



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